

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 1:30 P.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Jill Rivera, Assistant Deputy Clerk.

**F045445      Arthur v. Blodgett; Blodgett et al.**

Cause called and argued by Bruce Francis Kennedy, Esq., counsel for appellant and by James H. Wilson, Esq., counsel for claimants and respondents and by Bruce J. Hendricks, Esq., counsel for respondent.

Cause ordered submitted.

**F045402      People v. Hernandez**

Cause called and argued by Lawrence R. Young, Esq., counsel for appellant and by Jesse Witt, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

The court adjourns.

**F045119      People v. Fernandez**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F044150      Walzem et al. v. Daimler Chrysler Corporation**

The judgment is affirmed. The Walzems shall recover their costs. Cornell, J.

We concur: Buckley, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045528      In re Kenneth B., a Minor**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F044023 City of Merced v. American Motorists Insurance Co.**

**F044865 City of Merced v. American Motorists Insurance Co.**

On this court's own motion, the order filed in this court on February 27, 2004, consolidating case Nos. F044023 and F044865 is hereby vacated.

**F044023 City of Merced v. American Motorists Insurance Co.**

The judgment is affirmed. Costs on appeal are awarded to the City. Gomes, J.

We concur: Buckley, Acting P.J.; Cornell, J.

[CERTIFIED FOR PUBLICATION]

**F045002 People v. Solorio**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F047048 Jeshua R. v. Kern County Dept. of Human Services**

Pursuant to the terms of this court's order of February 8, 2005, and the failure of any party to request oral argument date of March 3, 2005, is vacated.

This matter is deemed submitted on the date of this order.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F044642      People v. Maldonado**

The case is remanded with directions to strike the one-year prior prison term enhancement from the judgment, to amend the abstract of judgment accordingly, and to send to every appropriate person a certified copy of the amended abstract of judgment. Maldonado has no right to be present at those proceedings. (See *People v. Price* (1991) 1Cal.4<sup>th</sup> 324, 407-408.) Otherwise the judgment is affirmed. Gomes, J.

We concur: Buckley, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046609      Jimelle W. v. The Superior Court of Fresno County; Fresno County Department of Children and Family Services**

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044865      City of Merced v. American Motorists Insurance Company**

The amended judgment is affirmed. Costs on appeal are awarded to the city. Gomes, J.

We concur: Buckley, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044247      DeRosa v. California Unemployment Insurance Board; North Coast Couriers, Inc.**

The judgment is reversed. Dibiaso, Acting P.J.

We concur: Vartabedian, J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]